

**FILED**

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

NOV 16 2007

CLERK  
U. S. DISTRICT COURT  
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA )

v. )

TIMOTHY TYRONE JOHNSON,  
a.k.a. "Tim Johnson,"  
a.k.a. "Timothy Johnson"

CR. NO. 2:07cr279-MHT  
[18 USC § 922(g)(1)]

INDICTMENT

The Grand Jury charges:

COUNT 1

On or about March 10, 2007, in Montgomery County, Alabama, within the Middle District of Alabama, the defendant,

TIMOTHY TYRONE JOHNSON,  
a.k.a. "Tim Johnson,"  
a.k.a. "Timothy Johnson,"

having been previously convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of the State of Alabama, to-wit: Robbery III in the Circuit Court of Montgomery County, Alabama (CC-2005-703), knowingly possessed in and affecting commerce a firearm, that is, a Ruger, Model P89, 9mm Pistol, a better description of which is unknown to the Grand Jury, in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

- A. Count 1 of this indictment is hereby repeated and incorporated herein by reference.
- B. Upon conviction for the violation of Title 18, United States Code, Section 922(g)(1), as alleged in Count 1 of this indictment, the defendant,

TIMOTHY TYRONE JOHNSON  
a.k.a. "Tim Johnson,"  
a.k.a. "Timothy Johnson,"

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense, including but not limited to the following:

One Ruger, Model P89, 9mm Pistol.

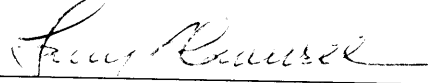
C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:


- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred, sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or,
- (5) has been commingled with other property which cannot be divided without


difficulty, the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an Order of this Court forfeiting any other property of said defendant up to the value of the property described in the above paragraphs.

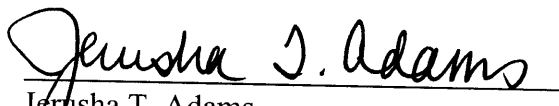
All in violation of Title 18, United States Code, Section 922.

A TRUE BILL:

  
Foreperson

  
LEURA G. CANARY  
UNITED STATES ATTORNEY

  
John T. Harmon  
Assistant United States Attorney

  
Jernisha T. Adams  
Assistant United States Attorney